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6 *Representing the United States of America*

7
8 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

9 -oOo-

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 REBECCA ROSAS,
a.k.a. India,

14 Defendant 2.

Case No. 2:13-cr-257-APG-PAL-2

STIPULATION TO VACATE
HEARING FOR REVOCATION OF
SUPERVISED RELEASE [ECF 312]
AND TO DISMISS PETITION FOR
WARRANT FOR OFFENDER
UNDER SUPERVISION [ECF 304]

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18 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A. Trutanich,
19 United States Attorney, and Daniel J. Cowhig, Assistant United States Attorney, counsel for
20 the United States of America, and Rene L. Valladares, Federal Public Defender, and Nisha
21 Brooks-Whittington, Assistant Federal Public Defender, counsel for offender Rebecca Rosas,
22 that the Revocation Hearing scheduled for Tuesday, March 19, 2019 at 10:00 a.m., should be
23 vacated.
24

1 IT IS FURTHER STIPULATED AND AGREED that the Petition for Warrant for Offender
2 Under Supervision at ECF 304 should be dismissed without prejudice.

3 This Stipulation is entered into for the following reasons:

4 1. On June 21, 2018, this Honorable Court revoked offender Rosas' prior term of
5 supervision, imposing a brief term of custody followed by a new term of supervised release.
6 ECF 289; ECF 291. The Court ordered that offender Rosas participate in the Chemical Abuse
7 Recovery Effort (CARE) program as a condition of supervised release. ECF 291 at 5.

8 2. Offender Rosas completed that term of custody, began the current term of
9 supervised release and entered the CARE Program. Around the New Year, the United States
10 Probation Office (USPO) for the District of Nevada filed a Petition for Warrant for Offender
11 Under Supervision alleging that offender Rosas had tested positive for a controlled substance in
12 violation of the terms of her supervised release and the CARE program. ECF 304. The Court
13 issued an arrest warrant. ECF 305. Offender Rosas was arrested, appeared before a magistrate
14 and was detained for a period of 7 days consistent with the rules and regulations of the CARE
15 Program. ECF 307; ECF 308; 18 USC § 3563(b)(10).

16 2. After 7 days' detention, offender Rosas returned to the CARE Program. *See* ECF
17 309. To afford offender Rosas time to complete the CARE Program, the USPO, offender
18 Rosas and the U.S. Attorney's Office (USAO) requested the Court continue the Revocation
19 Hearing, then set for January 16, 2019. *Id.* The Court granted the parties' request, rescheduling
20 the Revocation Hearing for March 19, 2019. ECF 312.

21 3. Offender Rosas has since successfully completed the CARE program. *See* ECF
22 313. In view of her success in the CARE program, the USPO, offender Rosas and the USAO
23 now ask the Court to vacate the Revocation Hearing scheduled for Tuesday, March 19, 2019 at
24

1 10:00 a.m. and dismiss the Petition for Warrant for Offender Under Supervision at ECF 304
2 without prejudice.

3 Relief Requested

4 For the reasons stated above, the parties request the Court to vacate the Revocation
5 Hearing scheduled for Tuesday, March 19, 2019 at 10:00 a.m. and dismiss the Petition for
6 Warrant for Offender Under Supervision at ECF 304 without prejudice. A proposed order is
7 attached.

8 Dated: March 14, 2019

9 Counsel for REBECCA ROSAS

NICHOLAS A. TRUTANICH
United States Attorney

11 _____//s//_____
12 NISHA BROOKS-WHITTINGTON
Assistant Federal Public Defender

_____//s//_____
DANIEL J. COWHIG
Assistant United States Attorney

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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

-oOo-

6 UNITED STATES OF AMERICA,

7 Plaintiff,

8 vs.

9 REBECCA ROSAS,

10 a.k.a. India,

11 Defendant 2.

Case No. 2:13-cr-257-APG-PAL-2

ORDER VACATING THE
HEARING FOR REVOCATION OF
SUPERVISED RELEASE [ECF 312]
AND DISMISSING THE PETITION
FOR WARRANT FOR OFFENDER
UNDER SUPERVISION [ECF 304]

12
13 ORDER

14 IT IS HEREBY ORDERED, based upon the stipulation of the parties and the record in this
15 case and for good cause shown, that the Revocation Hearing scheduled by the Order at ECF
16 312 for Tuesday, March 19, 2019 at 10:00 a.m. is vacated.

17 IT IS FURTHER ORDERED that the Petition for Warrant for Offender Under Supervision at
18 ECF 304 is dismissed without prejudice.

19 IT IS SO ORDERED this March 15, 2019:

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21 
22 UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

I, Daniel J. Cowhig, certify that the following individual was served with a copy of the
STIPULATION TO VACATE HEARING FOR REVOCATION OF SUPERVISED
RELEASE [ECF 312] AND TO DISMISS PETITION FOR WARRANT FOR OFFENDER
UNDER SUPERVISION [ECF 304] on this date by Electronic Case File system:

Nisha Brooks-Whittington
Assistant Federal Public Defender
Office of the Federal Public Defender
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702-388-6577
Email: Nisha_Brooks-Whittington@fd.org
Counsel for Rebecca Rosas

DATED: March 14, 2019

//s//
DANIEL J. COWHIG
Assistant United States Attorney